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Paper No. 10

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OFFICE OF PETITIONS

In re Application of :
Ali Afzali-Ardakani, et al. :
Application No. 09/685,414 :
Filed: October 10, 2000 :
Attorney Docket No. YOR920000360US2 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed February 14, 2003, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled **“Renewed Petition under 37 CFR 1.137(b).”** This is **not** final agency action within the meaning of 5 U.S.C. § 704.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information. See MPEP 711.03(c)(III)(C) and (D). The instant petition lack(s) item(s) two (2).

On April 24, 2003, the undersigned telephoned petitioner Thomas A. Beck in reference to an authorization to pay the petition fee. Mr Beck informed the Examiner that a fax would be forthcoming. To date, no fax or documents regarding the authorization to pay the petition fee have been received by the USPTO. The application cannot be revived until such statement is received.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: Crystal Plaza 4, Suite 3C23
 2201 South Clark Place
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By facsimile: (703) 308-6916
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Telephone inquiries concerning this decision should be directed to the undersigned at (703) 306-5594.

Retta Williams

Retta Williams
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy